

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

## PAUL ERIC PRESLEY,

Petitioner,

V.

UNITED STATES OF AMERICA,

## Respondent.

CASE NO. C12-5760BHS  
CR07-5058BHS

## ORDER REQUIRING ANSWER

This matter comes before the Court on Petitioner's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255(a).

It is hereby ORDERED that:

1. The United States shall file and serve an answer in accordance with Rule 5 of the Rules Governing § 2255 Cases in the United States District Courts not later than **October 26, 2012**. As part of such answer, the United States should state its position as to whether an evidentiary hearing is necessary and whether there is any issue as to abuse or delay under Rule 9.

2. Any reply by Petitioner shall be filed and served on or before **November 2, 2012**, and the Clerk shall note the 2255 motion on the Court's calendar for **Friday, November 2, 2012**.

DATED this 28<sup>th</sup> day of August, 2012.

  
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BENJAMIN H. SETTLE  
United States District Judge

## ORDER